

DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF LABOR STATISTICS & RESEARCH  
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San Francisco, CA 94102

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SHIFT PROVISIONS

FOR

**ELECTRICIAN:**  
MAINTENANCE ELECTRICIAN

IN

ORANGE COUNTY

**Note:** The shift provisions provided in the following pages provide guidance on the work hours that are applicable to each shift. Shift differential pay is required and will be enforced during each applicable shift where shift differential pay is in the determinations. Any shift provision restricting the work hours for a particular shift for a type of work will not be enforced on public works. However, if work is performed during hours typically associated with a 2<sup>nd</sup> or 3<sup>rd</sup> shift the appropriate shift rate of pay is required. Shift differential pay shall not apply to work during traditional shift hour (swing or grave) if the determination includes a footnote that indicates that the non-shift rate may be paid for a special single shift. Please note the exemptions in California Code of Regulations Section 16200 (a)(3)(F) do not waive the shift differential pay. These regulatory exemptions only apply to overtime pay. Overtime shall be required in accordance with the determination and Labor Code Section 1810 through 1815.

61-441-1

June 1, 2009 - May 31, 2010

**INSIDE WIREMAN'S**

**AGREEMENT**

Between

**Orange County Chapter**

National Electrical Contractors Association, Inc.

and

**Local Union No. 441**

International Brotherhood of Electrical Workers

**RECEIVED**  
Department of Industrial Relations  
JUL 13 2009  
Div. of Labor Statistics & Research  
Chief's Office

#### **SHIFT WORK**

**SECTION 6.6** When so elected by the contractor, multiple shifts of eight (8) hours for at least five (5) days' duration may be worked. When two (2) or three (3) shifts are worked:

The first shift (day shift) shall consist of eight (8) consecutive hours worked between the hours of 8:00 a.m. and 4:30 p.m. Workmen on the "day shift" shall be paid at the regular hourly rate of pay for all hours worked.

The second shift (swing shift) shall consist of eight (8) consecutive hours worked between the hours of 4:30 p.m. and 1:00 a.m. Workmen on the "swing shift" shall be paid at the regular hourly rate of pay plus 17.3% for all hours worked.

The third shift (graveyard shift) shall consist of eight (8) consecutive hours worked between the hours of 12:30 a.m. and 9:00 a.m. Workmen on the "graveyard shift" shall be paid at the regular hourly rate of pay plus 31.4% for all hours worked.

The Employer shall be permitted to adjust the starting hours of the shift by up to two (2) hours in order to meet the needs of the customer.

If the parties to the Agreement mutually agree, the shift week may commence with the third shift (graveyard shift) at 12:30 a.m. Monday to coordinate the work with the customer's work schedule. However, any such adjustment shall last for at least five (5) consecutive days duration unless mutually changed by the parties to this Agreement.

An unpaid lunch period of thirty (30) minutes shall be allowed on each shift. All overtime work required before the established start time and after the completion of eight (8) hours of any shift shall be paid at one and one-half times the "shift" hourly rate.

There shall be no pyramiding of overtime rates and double the straight time rate shall be the maximum compensation for any hour worked. There shall be no requirement for a day shift when either the second or third shift is worked.

**SECTION 6.7** When work extends from overtime to regular time, if eight (8) hours have been worked at overtime, the rate of pay shall be the overtime rate until a break of at least eight (8) hours is given.

**SECTION 6.8** The first shift may start between 5:00 a.m. and 9:00 a.m.

**SECTION 6.9** Shifts will consist of at least five consecutive days duration. Saturdays, Sunday and holidays, if worked within the shift schedule, (although paid according to Section 6.2) are considered to be within the five consecutive days duration.